



GUAM WATERWORKS AUTHORITY

Good Water Always

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October 28, 2011

Pursuant to further compliance to the STIPULATED ORDER FOR PRELIMINARY RELIEF; CIVIL CASE No. 02-00035, as amended and filed on October 19, 2006, The Guam Waterworks Authority herewith presents the report required on or following this date as ordered, adjudged and decreed items numbered: Paragraph 49 Compliance Progress Report No. 30.

CERTIFICATION STATEMENT

I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that this document and its attachments were prepared either by me personally or under my direction or supervision in a manner designed to ensure that qualified and knowledgeable personnel properly gathered and presented the information contained therein. I further certify, based on my personal knowledge or on my inquiry of those individuals immediately responsible for obtaining the information, that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing and willful submission of a materially false statement.

PAUL J. KEMP, M. S.

Assistant General Manager for Compliance and Safety

October 28, 2011

Date

A copy of the STIPULATED ORDER FOR PRELIMINARY RELIEF; CIVIL CASE No. 02-00035 as amended and filed on October 19, 2006, is posted for public review on the GWA web site;

< http://www.guamwaterworks.org/documents/2ndAmendedSO_001.pdf >.

NOTE:- These reports are cumulative so that this most recent report incorporates the contents of preceding editions.

The Executive summary of the compliance performance is on pages 38 to 40 of this report.

QUARTERLY COMPLIANCE PROGRESS REPORT

No. 30

1. The **STIPULATED ORDER FOR PRELIMINARY RELIEF; CIVIL CASE No. 02-00035 (SO)** as amended and filed on October 19, 2006 contains 14 Sections with a total of 74 descriptive subsections or “Paragraphs” of which the 49 specify 56 “**deliverable**” actions requiring documentation and the remaining 26 define administrative procedures for open communication, amendment and for penalties/remedies for failure to comply with the scheduled execution of the “deliverables”. Of the “deliverables”, 6 are delayed or being redone (some have had fines assessed) and 4 are recurring activities giving GWA a conservative **89.3%** completion rating (the rating does not take substantial progress toward completion into account).
2. Submissions are made to the US EPA Region 9, with copies sent to the CCU, GEPA, Guam AG, Guam PUC and Guam OPA. Copies of this report are public information and the current edition will be posted on the GWA web-site:
< Department and agency reports >.
3. Following is a summary of the status of the SO deliverable items by Section and Paragraph Number. **Changes from the preceding report are highlighted.** [The legend of Critical Dates format is at the end of the table.] An amendment to the Stipulated order has been negotiated between the CCU, GWA, USEPA, GEPA and USDOJ and has been filed with the US District and the Guam Courts, which affects compliance dates and adds some additional tasks.

Paragraph No.	Title	Status	Critical Dates
Section I Submittals by Defendants			
01	SO Compliance Monitor	Position Vacated – by order of Guam Civil Service Commission, 04/29/2005. The position was refilled by CCU, on May 1, 2006 upon creation of Assistant General Manager for Compliance and Safety Position. Position held by Paul J. Kemp, M. S.	06/15/2003 03/21/2006
02	EPA Approval of Plans and Other Submittals	Continuous. <i>[Extremely slow -- USEPA accepts no responsibility for accountability of response times.]</i>	Continuous
Section II Management and Organizational Structure of GWA			
03	SO General Manager	David E. R. Craddick , Interim General Manager, 01/01/2003, General Manager 12/01/2003 -- 04/11/2007. John M. Benavente Interim General Manager 04/12/2007 - 10/26/2008. Dr. Leonard J. Olive, Sc. D. 10/27/2008 - 06/14, 2010. John M. Benavente returned as Interim General Manager 06/15/2010 – 06/06/2011. Martin L. Roush, P. E. became GWA General Manager on June 6, 2011	09/03/2003 04/11/2007 10/27/2007 06/15/2010 06/06/2011

Paragraph No.	Title	Status	Critical Dates
04	SO Chief Engineer	Recruitment efforts gave GWA a Stipulated Order Chief Engineer. Mr. Don Antrobus from the United States Public Health Service (USPHS) detailed to the GWA SO Chief Engineer. Martin Roush P. E. who joined GWA as Chief Engineer left that position to become GWA G. M. on June 6, 2011. Thomas Cruz, P. E. became Acting Chief Engineer as of June 10, 2011.	05/25/2005 06/22/2009
05	SO Financial Officers		
05 (A)	Chief Financial Officer	Filled 07/16/2007 by recruitment for a GWA CFO, Greg P. Cruz,	07/16/2007
05 (B)	Assistant Chief Financial Officer	Cora Montellano returned to GPA and has been replaced by Joe Claveria, CPA. as GWA ACFO who's started at GWA on 11/13/2007 and resigned from the position on 10/25.2010. Gilda Mafnas, CPA has taken this position as of 05/23/2011.	11/30/2006 11/12/2007
06	General Manager's Authority	CCU Resolution passed 01/27/2004	11/09/2003
07	Conflict of Interest	Continuous	Continuous
08	GWA Personnel.		
08 (A)	Certification of Operators in Direct Responsible Charge (DRC Operators).	GWA personnel notified of need for certification of DRC operators as of 06/15/2003 required to obtain certification by 12/02/2003 . Initial listing of DRC Operators submitted to EPA on 12/30/2003 . EPA Comments received on 05/20/2004, requiring need for DRC operators for each shift per Guam Environmental Protection Agency (GEPA). GWA response made on 06/19/2004 . In response to EPA comments, GWA began recruitment for Stipulated Order DRC Operators. GWA was subsequently ordered to halt the recruitment by the Guam Civil Service Commission. Following review by the CCU, GWA developed Position Descriptions for the SO DRC operators. GWA reopened recruitment for 3 Grade III Wastewater Treatment Operators, 3 Grade IV Wastewater Collection System Operators and 3 Grade IV Drinking Water Distribution System Operators – recruitment was successful – all interim required positions were filled by 04/29/2005 . In order to meet the compliance date, it was necessary to reassign the Collection and Distribution manager and the Compliance Monitor to DRC duty, both being certified at Level IV in both Water Distribution and Wastewater Collection.	12/02/2003 01/28/2005 04/29/2005

Paragraph No.	Title	Status	Critical Dates																																							
08 (A) (Continued)	Certification of Operators in Direct Responsible Charge (DRC Operators).	<p>In April 2005, GEPA redesignated Northern and Central Guam WW collection systems as “medium sized” which meant that the DRC WW collections operators only need Level III certification. GWA had enough Level III certified WW collection personnel to fill all the needed DRC operator positions. Notable is the completion of the desired compliment of Certified Operators at Ugum Surface Water Treatment Facility well in advance of the compliance date. GWA personnel continue to take advantage of GWA training. Training support resources include GWA Training Coordinator, Nicole Ballesta and the GWA PMC contractor, Veolia Water, Guam. GWA had an 11% passing rate on the January 2011 certification exam. The next exam was held on August 24, 2011, results are pending.</p> <p>Certification summary for GWA staff with January 2011 results is as follows:</p> <table border="1" data-bbox="724 724 1507 1438"> <thead> <tr> <th><u>Certification Area</u></th> <th><u>Certification Level</u></th> <th><u>No. of Certified Operators</u></th> </tr> </thead> <tbody> <tr> <td rowspan="4">WW Treatment</td> <td>I</td> <td>11</td> </tr> <tr> <td>II</td> <td>10</td> </tr> <tr> <td>III</td> <td>3</td> </tr> <tr> <td>IV</td> <td>5</td> </tr> <tr> <td rowspan="4">WW Collection</td> <td>I</td> <td>10</td> </tr> <tr> <td>II</td> <td>14</td> </tr> <tr> <td>III</td> <td>10</td> </tr> <tr> <td>IV</td> <td>7</td> </tr> <tr> <td rowspan="4">Water Treatment</td> <td>I</td> <td>6</td> </tr> <tr> <td>II</td> <td>6</td> </tr> <tr> <td>III</td> <td>3</td> </tr> <tr> <td>IV</td> <td>3</td> </tr> <tr> <td rowspan="4">Water Distribution</td> <td>I</td> <td>20</td> </tr> <tr> <td>II</td> <td>11</td> </tr> <tr> <td>III</td> <td>0</td> </tr> <tr> <td>IV</td> <td>7</td> </tr> </tbody> </table>	<u>Certification Area</u>	<u>Certification Level</u>	<u>No. of Certified Operators</u>	WW Treatment	I	11	II	10	III	3	IV	5	WW Collection	I	10	II	14	III	10	IV	7	Water Treatment	I	6	II	6	III	3	IV	3	Water Distribution	I	20	II	11	III	0	IV	7	<p>12/02/2003</p> <p>This process continues.</p>
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Paragraph No.	Title	Status	Critical Dates
08 (A) (Continued)	Certification of Operators in Direct Responsible Charge (DRC Operators).	The staffing needs and recruitment plan was submitted to EPA on January 28, 2005, and was revised March 25. Execution of the EPA approved minimum DRC staffing plan (given by EPA on April 12, 2005) was completed as noted above by April 29, 2005 meeting the revision by GEPA. As of 03/25/2009, suitably licensed DRC supervision must now be on site at all times. GWA has implemented a US Dept. of Labor Accredited Apprenticeship Program for certified journeymen operators. GWA, on October 7, 2011, has graduated the first 12 Full Journeymen operators from this program.	12/02/2003 This process continues.
08 (B)	Engineering Support	GWA now has a Electrical Engineering supervisor Barbara Cruz , and Senior Engineering Supervisor (water) Brett E. Railey . Clinton Huntington has also been promoted to Senior Engineer. Garret Yeoh has been promoted to Senior Engineering Supervisor. New EIT engineering staff are Calvin Yam (electrical), Adrian Ballon (chemical) and Marc Lopez (mechanical). Added to the engineering staff in April 2011 is Menglou Wang ; Senior Supervising Engineer in System Planning. Tom Cruz has become GWA Acting Chief Engineer as of June 10,2011.	01/31/2007
08 (C)	Senior Wastewater Operator or GIS/Land Information System Manager	The GIS/Land Information System Manager has been taken by Rodney Toves on October 01, 2006 . Rodney was instrumental in the development of the GWA GIS database and mapping project in the Water Resources Master Plan (See Paragraph 10 below). GWA has recruited a Senior Wastewater Treatment Operator, David Fletcher , who joined GWA on February 16, 2009.	01/01/2007 02/16/2009
09	GWA SO Reorganization	Draft Plan submitted to EPA on 09/05/2003. A GWA/EPA/GEPA ad hoc Conference call was held 02/27/2004. EPA review and commented on 04/06/2004. GWA presented response plan to EPA and the CCU on 04/27/2004. GWA submitted new draft 05/18/2004. CCU approved Reorganization Plan on 05/25/2004. GWA updated response to EPA on 06/08/2004. Reorganization targeted alignment with AWWA Best Practices and went into full implementation as of 10/01/2004. Further adjustment incorporate support from the PMC and implementation of the Certified Technical Position structure. Current Program management staffing is as follows:	03/25/2005 06/24/2005

Paragraph No.	Title	Status	Critical Dates
09 (Continued)	GWA SO Reorganization	<p style="text-align: center;"><u>Water Operations</u> Jesse C. Lujan, Assistant General Manager.</p> <p style="text-align: center;"><u>Internal and customer support services</u></p> <p style="text-align: center;"><u>Finance Unit</u> Greg P. Cruz, Chief Financial Officer</p> <p style="text-align: center;"><u>Customer Services Unit</u> Doris J. Young, Utilities Services Administrator</p> <p style="text-align: center;"><u>Engineering Unit</u> Thomas Cruz, Acting Chief Engineer</p> <p style="text-align: center;"><u>Human Resources Unit</u> Lola Elaine Wusstig Cruz, Human Resources Administrator</p> <p style="text-align: center;"><u>Compliance and Safety Unit</u> Paul J. Kemp, Assistant General Manager</p> <p style="text-align: center;"><u>GWA Certified Laboratory</u> Carmen Sian-Denton, Laboratory Administrator</p> <p style="text-align: center;"><u>GWA Special Projects</u> Mark G. Miller, Assistant General Manager</p> <p>Revisions will continue as GWA evolves with changes in certification status of staff and GWA Priorities Planning. Critical positions initially identified for the reorganization were recruited, hired and in place by June 24, 2005. DRC operators were in place by April 29, 2005, some recruited from off island.</p> <p>GWA completed a Management Audit project (suggested by the Guam PUC) and structural changes with its input are being made.</p>	03/25/2005 06/24/2005

Paragraph No.	Title	Status	Critical Dates
09 (Continued)	GWA SO Reorganization (Continued)	<p>Technical Training targeted at helping GWA employees to gain new and better skills and higher certification levels is offered to GWA personnel on a voluntary basis. Nicole Ballesta was prompted to GWA training Coordinator on October 14, 2011. GED classes are also offered for GWA personnel in support of enhanced competence and internal mobility within GWA. Training programs are discussed in more detail below in Paragraphs 46 and 47.</p> <p>An updated, organizational chart of the status and objectives of the GWA reorganization, approved by the CCU, was submitted to the USEPA on March 25, 2005.</p> <p>Under the CCU, GWA and GPA have joined in an in-depth study of Certified Technical Professionals (CTP) and appropriate compensation. Assisted by this, GWA continues to develop modifications to the Organizational Structure of the Utility, based on adoption and implementation of CTP by the CCU, on October 01, 2007. Legislative support for the CCU's management of GWA and GEPA CTP positions based on the CTP study was obtained.</p> <p>GWA is also expanding its field service staff as well as instituting a recruitment oriented Nationally Accredited Apprenticeship program. An In Service Training program is in planning. These programs are intended to provide GWA with a stable well trained employee base and a Staffing Pattern which will support the progressive functionality of this utility.</p>	03/25/2005 06/24/2005
Section III Operations at GWA			
10	Water Resources Master Plan (WRMP 2007)	<p>An RFQ was approved by EPA on 10/10/2003. Candidate list for screening by EPA submitted on 01/08/2004. Approval received for all submittals 01/22/2004. Evaluation Committee met and selected the most qualified candidate. EPA was notified of successful contract negotiated and signed with Brown and Caldwell on 05/05/2004 as the official SO. Paragraph 10 "Commencement Date"</p> <p>Phase I Kickoff meeting held on Guam on June 1, 2004. Sub-Task Planning, Electrical (jointly with GPA) and General System Assessments, Public Outreach for Master Plan Content and GIS Project started.</p>	10/31/2006 01/31/2007

Paragraph No.	Title	Status	Critical Dates
10 (Continued)	Water Resources Master Plan (WRMP 2007) (Continued)	<p>The preliminary presentation round of Public input meetings began in August and were completed by mid-November. Feedback received was used in the development of MP content. Public meetings were held in May and June, 2006 with a draft plan ready to update the community on the status of the Water Resources Master Plan (WRMP) and get public input. The complete final WRMP 2007 can be viewed on The GWA web-site:- < http://www.guamwaterworks.org/ > (q. v.).</p> <p>Copies were distributed to various government agencies and mayor's offices for public viewing. An all island presentation/discussion meeting was held May 2, 2006 at the Dededo Community Center, at 6:30 PM.</p> <p>Phase II official NTP was issued 01/12/2005. Phase II Kickoff meeting and planning/training sessions were held on Guam on October 25-29, 2004. They included Water Resources Master Plan Consultants, Guam Waterworks Authority, Guam Environmental Protection Agency and Guam Water and Environmental Resources Institute (WERI at UOG).</p> <p>Major improvements to the operation of GWA wells have been accomplished by WRMP power assessment and concerted partnership efforts by GWA and GPA to optimize the quality of power supplied. Stakeholder interviews by WRMP Consultant and GWA also began on October 28, 2004. Stakeholder and focus group interview were completed. Draft stakeholder report was reviewed by GWA and further activities planned. Follow up on Community Outreach activities include public opinion surveys by telephone.</p> <p>WRMP Grant PR #3 for Phase II work was and approved 08/22/2005 with reimbursement from EPA via GEPA shortly thereafter. WRMP Quarterly Progress Reports throughout the project were submitted. (USEPA Support Grant Condition. 20).</p> <p><u>Master plan milestones:</u></p> <p>-Complete Leak Detection Study 11/01/2004 (GWA provided interim report – project completed on Schedule – A Revised Study completed 09/30/2005)</p> <p>-Complete. Est. Water Budget -- 12/31/2004 (revised 1/15/2005)</p>	10/31/2006 01/31/2007

Paragraph No.	Title	Status	Critical Dates
10 (Continued)	Water Resources Master Plan (WRMP 2007) (Continued)	<p>Draft report submitted to GEPA WERI and EPA for review. Final report was completed in hard copy and prepared for electronic transmission.</p> <p>-Develop GIS Phase I -- 01/30/2005 (revised 01/28/05) GIS development begun in the WRMP is ongoing in conjunction with Water and Waste Water Operations. This task will continue indefinitely as drawings and maps are not available for all lines, and field work is being used to true up the GIS data.</p> <p>-Hydrological. Analysis/Model 05/05/2005 Modeling software has been installed at GWA, and staff introduced to its operation. Initial data for preliminary modeling used data input for the Southern part of the island (EPA fine levied for being incomplete, \$13K). Much of the island has been modeled, but further work to verify the information will always continue.</p> <p>-Draft Master Plan 10/27/2005 (EPA Fine levied \$20K) (amended 10/31/2006)</p> <p>-Develop. GIS Phase II 10/27/2005 -Well Rehab Assessment 03/01/2005 -Final Master Plan 01/25/2006 (EPA Fine levied \$35K)</p> <p>A joint GWA/GPA Operations and Engineering electrical power management workshop was conducted by the WRMP consultants on August 24, 2005, in the GPA Conference Room.</p> <p>-Financial Project Planning Report 08/13/2006 A complete GWA system assessment was done, and the database is in use. Assessment includes GWA above ground assets and useful life evaluation. The assessment, while constantly being updates, is being used to designing preventive maintenance and failure prevention renewal program. These data also support GWA's efforts to obtain funding for this program, and other needed improvements throughout the system to improve service to and reliability for our customers.</p> <p>Rate Structure Assessment and benchmarking was conducted by Grant Hoag, January 12-19, 2006 and was continued May 22-25, 2006. Review by the CCU was used to prepare a viable financial plan.</p>	<p>10/31/2006</p> <p>01/31/2007</p>

Paragraph No.	Title	Status	Critical Dates
10 (Continued)	Water Resources Master Plan (WRMP) (Continued)	<p>Preliminary Asset Management Training was done by Dale Olson, January 23-February 3, 2006.</p> <p>The final edition of the WRMP was distributed beginning 10/31/2006 and input solicited from the public and all stakeholders on the island as well as EPA. Public meetings were held and all comments have been collected and compiled. The CCU adopted the Water Resources Master Plan on January 31, 2007, (designated WRMP 2007) and crafted a resolution describing the use and updating of it, which was finalized on March 13, 2007 and included in WRMP 2007 as a Preface. Implicit in the adoption of the WRMP by the CCU is the adoption of the <u>Ten State Standards and the Hawaii Water System Standards 2002.</u></p> <p>Further updating of the WRMP is under way by GWA Engineering at this time. Other components called for in the WRMP 2007: the preparation of a System Development Charge (SDC) has been approved by the CCU and the PUC and is implemented; Equitable Rate Structure study remains in progress.</p>	10/31/2006 01/31/2007
11	Interim Disinfection Program	<p>Delays in completion of SO Paragraph 11 Interim Disinfection Program not included under the EPA grant project resulted in 03/08/2004 penalty demand of \$11,000 see Paragraphs 53 and 55 below. Revisions by GWA contract engineer (Bills Engineering) discussed and submitted 03/04/2004 Evaluation by GWA staff of all wells and chlorination systems has been made. Further revision submitted on 04/14/2004. This paragraph has been coupled with the EPA Grant Project to rehabilitate essential chlorination systems. The net impact is that all water sources are now individually disinfected. This paragraph is also linked to the (See next) Interim Disinfection Monitoring Program, SO Paragraph 12.</p> <p>Grant project has been revised to include design for all GWA wells and revision was approved by GWA contract engineer (Bills Engineering), GEPA and EPA. Revised project was put out for bid by GWA engineering staff and a consultant selected. Initial contract work has been completed. Monitoring of well disinfection performance was revised per EPA comments. Installation of proper sample points on wells that did not already then was completed.</p>	12/01/2004 03/25/2005 06/24/2005

Paragraph No.	Title	Status	Critical Dates
11 (Continued)	Interim Disinfection Program (Continued)	<p>Completion dates for critical well were worked out with GEPA and USEPA for 06/03/2005. This is a priority public health concern project. New chlorine scales are installed at all disinfection sites and upgraded 32 of 97 active locations to auto switchover systems. Final narrative on Interim Disinfection Program (SO 11) and Interim Disinfection Monitoring Program (SO 12) in a single document was completed with only minor revisions and clarifications on 12/01/2005. These revisions were mainly to Appendix G (Well Monitoring Report) and Appendix K (Distribution System Problem Area Findings and Actions). Completed chlorinator installation on all wells provides total system compliance with the minimum disinfectant residual of 0.2 mg/L in all samples by 06/24/2005.</p> <p>Adapting disinfection practices to meet the specifications of the Ground Water Rule is pending the results of the ongoing "Ground Water Under the Direct Influence of Surface Water study. This will be implemented under contract described in Paragraph 12 (C) below. Data to date supports the concept that Guam's well waters are truly deep well waters.</p>	12/01/2004 03/25/2005 06/24/2005
12	Public Water Systems' Chlorine Program		
12 (A)	Interim Disinfection Residual Level Monitoring Program	<p>Interim Disinfection Residual Monitoring has been written with input from EPA, GEPA and GWA Chief Engineer and is in process as approved:</p> <ul style="list-style-type: none"> ◇ Distribution system are sampled from 198 selected locations bi-weekly. ◇ All disinfected wells are sampled daily. ◇ High risk wells are sampled twice daily. <p>Further revision submitted to EPA on 04/14/2004:-</p> <p>Specific actions to protect public health have been defined and are also in progress, which include:-</p> <ul style="list-style-type: none"> ◇ Adjustment of disinfectant application rates. ◇ Microbiological monitoring of the distribution system simultaneously with disinfection monitoring. <p>Other options that may be implemented are:</p> <ul style="list-style-type: none"> ◇ Flushing of water lines where disinfection samples find low levels of disinfectant residual (amounts < 0.2 mg/L). ◇ Tracer studies to determine water flow directions. 	12/01/2004 03/25/2005 06/24/2004

Paragraph No.	Title	Status	Critical Dates
12 (A) (Continued)	Interim Disinfection Residual Level Monitoring Program (Continued)	<p>◇ Installation of dedicated water sample taps throughout the distribution system and for all wells and tanks.</p> <p>Final narrative on Interim Disinfection Program (SO 11) and Interim Disinfection Monitoring Program (SO 12) in a single document has been completed with only minor (but important) revisions and clarifications on 12/01/2005. These revisions were mainly to Appendix G (Well Monitoring Report) and Appendix K (Distribution System Problem Area Findings and Actions). Supplemental microbiological sample points, to be used if disinfection drops below 0.2 mg/L in distribution samples or if disinfection feed fails at any chlorination site, were completed and submitted on 03/25/2005. A fine of \$1,000 was levied for improper record keeping and failure to follow the sampling procedures properly.</p> <p>Operation under the written program brings GWA into virtual compliance with the Ground Water Rule (See SO 12(c) Below).</p>	<p>12/01/2004</p> <p>03/25/2005</p> <p>06/24/2005</p>
12 (B)	Chlorine Supply	GWA has contracted for a supply of at least 200 full chlorine cylinders (150 lb. net) backup supply in reserve in addition to cylinders deployed in the GWA water system.	01/31/2007
12 (C)	Upgrade of Groundwater Chlorination System Project	On October 30, 2006 , GWA prepared a revised work plan for the upgrade of the GWA Groundwater Disinfection System Project. Review comments by GEPA have not been forthcoming, but the project cannot be held up. The construction phase of this project is to be completed by April 01, 2007 which date may be jeopardized by the delay in receiving review comments. The report on this project was Submitted to EPA on April 06, 2007.	Estimated completion 12/31/2013
12 (C) (Continued)	Upgrade of Groundwater Chlorination System Project (Continued)	A contract was bid and has completed much of the chlorine system upgrade as specified above [Paragraph 11]. de for HGC-2 for construction of a larger enclosure. Phases 1 and 2 construction work and training is complete. Phase III was been awarded to Asanuma; building permits have been received, and mobilization is under way. Phase IV, the remaining tasks to bring GWA into full Ground Water Rule compliance, bid which February 11, 2011 A contractor has been selected and contract is being negotiated. (Funding of \$390K was approved by the CCU on October 19, 2010 from 2005 Bonds.)	<p>10/30/2006</p> <p>04/01/2007</p> <p>Estimated completion 12/31/2013</p>
13	Leak Detection and	Initial submittal 11/27/2003. GWA Program completed area water audits,	09/30/2005

Paragraph No.	Title	Status	Critical Dates
	Response Program	<p>pinpointing locations of multiple visible leaks, locating leaks not visible on the surface and finding illegal connections to GWA system. EPA 03/04/2004 requested expansion and clarification. GWA revision 04/01/2004 emphasized the need to focus on response as the present program locates system's problems at a rate that requires focused support to keep up with findings, and allow planning for areas that need complete water line replacement. Additional "response" funding support was requested and approved by the CCU. Interim Leak Detection and Response report was one of the first components of the Water Resources Master Plan submitted, 11/01/2004. An Island wide complete leak detection study was completed on schedule 09/30/2005. The results incorporated in the Water Resources Master Plan's project recommendations.</p> <p>In FY 2007, GWA repaired 11,367 leaks. GWA negotiated a contracted leak detection program to expand this project. The work under the initial contract's inspection is completed. Pipeline location work and training of GWA leak detection specialists was continues. The contracted leak detection program found that far less of the un-accounted-for water in GWA's systems is due to leakage than was expected. Leak detection is now a component of the draft "Un-Accounted for Water Audit Plan" being developed by GWA Engineering and the GM. It will be implemented in conjunction with GWA Water Operations water line repair and replacement program. These projects will be executed using GWA's 2010 bond proceeds.</p>	
14	Water Meter Improvement Program	<p>EPA Approved Program plan 08/19/2003.</p> <p>Meters were awarded and contracted with Kusakabe Guam, Inc. [Program held due to protest filed in Guam Superior Court was vacated <i>with prejudice</i> by Superior Court Decision and Order.]</p> <p>A new Schedule for the start of the meter replacement project was prepared and submitted to USEPA for review and approval. The original completion date for the project of June 5, 2006 could not be met. Actual installation is begun in late December 2005.</p> <p>The receipt of shipped meters, meter boxes and appurtenances reached Guam on September 07. 2005 .</p>	<p>07/31/2012</p> <p>Estimated completion 05/31/2014</p>

Paragraph No.	Title	Status	Critical Dates
14 (Continued)	Water Meter Improvement Program (Continued)	<p>Large meters were replaced first, and work on residential meters began on April 24, 2006. Then slowed because of the amount to data to be managed.</p> <p>The progress in completing this project was further slowed and in many cases forced into repeat reinstallations by difficulties encountered from a GWA effort to include backflow prevention into the meters. This turned out to make the meters incompatible with Guam water. It resulted in critical under billing of water and hence GWA revenue. The need to restore or replace non/improperly recording meters has been implemented at the expense of completing the entire change-out of all old meters. GWA has had to install and reinstall in excess of 60,000 water meters on a project that was meant to replace 49,000 meters.</p> <p>Assessment of yet to be changed meters (approximately 15,000) to address and plan to accommodate the difficulties of the remaining conditions is under way by the Utilities Serviced staff. GWA has completed assessment of nearly all of the remaining un-replaced residential meter sites needing installation of residential meters. These can only be changes out when all the units already changed-out are working more reliably than the ones yet to be replaced.</p> <p>A special meter operations task force had to be put into operation for this task: -- GWA's updated water meter improvement program includes:</p> <ul style="list-style-type: none"> • Acquisition of a supply of state of the art AMR meters • Installation of state of the art AMR meters • Development of a revenue protection program evaluating all suspect customer connections • Development of a procedure to correct zero meter reads, low meter reads, transponder failures. <p>GWA has gone beyond the Stipulated Order by developing a program for meter testing facilities. These facilities will test and calibrate GWA meters. Meter test bench procurement was approved by CCU on July 27, 2011</p>	<p>07/31/2012</p> <p>Estimated completion 05/31/2014</p>

Paragraph No.	Title	Status	Critical Dates
15	Parts Inventory for POTW and Public Water Systems	<p>Preliminary Submittal 11/27/2003. Supplemental Details submitted 12/26/2003. EPA review sent 03/04/2004.</p> <p>GWA interim revision of the inventory program under the Operations Reorganization, applicable to individual sections of operation prepared and submitted 04/04/2004. To be further revised as historical information on inventory consumption becomes available, training of personnel in record keeping / inventory management to be given. Interim Report sent to EPA on 06/09/2004. Next GWA Semi-annual update due 07/28/2011.</p> <p>GWA will implement computer controlled Parts Inventory Management module in its JDE accounting software package in association with work order tracking.</p> <p>A Corrective Action Plan was prepared and executed for EPA approval on 10/17/2005 and was updated on 03/09/2006. A final summary of inventory status and parts issues was completed May 15, 2006 and submitted to USEPA and GEPA. GWA is preparing cost of completion analysis for budgeting and execution. Final Parts Inventory Program was to be completed and implemented by September 30, 2005. Failure to meet EPA expectations resulted in a \$5,000 fine. Deficiencies have been remedied.</p> <p>An inventory maintenance project has been set up to support the CMMS and routine Operations and Maintenance. It is using the J. D. Edwards program Inventory Control module.</p>	09/30/2005
16	Routine Maintenance and Repairs for POTW and Public Water Systems	<p>Submitted 12/02/2003. EPA reviewed and called for an update by August 26, 2005, which was submitted. GWA has instituted a computer maintenance management system [CMMS] (most completely in wastewater section under the GWA Performance Management Contractor) to improve documentation, reliability and performance of routine maintenance operations.</p> <p>Submitted 09/05/2003. EPA Comments/disapproving on 09/25/2003, (listing not complete). Updated submittal 06/05/2005.</p>	09/30/2005

Paragraph No.	Title	Status	Critical Dates
17	Standby Generators, Water and Wastewater	<p>Repairs and smaller unit replacements were done on schedule, with some priority change adjustments. Generators were bid out; GWA elected to take advantage of a Federal GSA contract. Some of the needed generators were ordered (01/27/2005) and installation/setup preparation of 34 units was completed by the compliance date of July 29, 2005. A bid protest put the compliance schedule in jeopardy. Support from GPA with additional loaned relocatable units, insured the compliance date setup was met. The rebid issued to address the protest, allowed receipt and installation of the remaining generators by June 2006.</p> <p>Efficacy of permanent generator installations was verified jointly with Guam EPA, and inspection of stationary generators was satisfactory.</p> <p>Deployment of generators to sites where they cannot be permanently installed was found to be difficult but was demonstrated to be workable. Some sites use single phase power for which, adaptations of some three phase units was made. For other single phase sites, additional single phase purchases were made. EPA requested a complete updated installed and assigned generators, which was submitted on 04/11/2007.</p> <p>Generators are now exercised routinely, and have been fully deployed where permanent installations are possible. Relocatable units are put into service in response to storm warnings or power problems as needed.</p> <p>Routine Operations and Maintenance of these units showed that some improvements in the O&M activities and deployment procedures were needed and which have been implemented.</p>	11/30/2006
18	Underground Storage Tanks	All unused WW UST's have been removed and the sites officially closed. All UST's still in use are licensed annually through Guam EPA in conformance with Federal UST regulations.	10/26/2003
19	Emergency Response Plans	Submitted 12/31/2003. EPA comments returned 04/08/2004. Contractor revised ERP per EPA recommendations. Completion due 11/26/2004. Revision submitted to USEPA for review on August 30, 2004. Completion was Certified to USEPA HQ 01/14/2004.	11/25/2005

Paragraph No.	Title	Status	Critical Dates
19 (Continued)	Emergency Response Plans (Continued)	EPA requested a further revision by 11/25/2005 , which was prepared and submitted. This plan has been shared with GEPA, and Guam Homeland Security Office of Civil Defense (GHS/OCD) and is fully integrated in the Island wide Guam Emergency Response Plan (GERP) maintained by GHS/OCD. Available on line at < http://www.guamhs.org/main/?pg=guam_emergency_response >. That the water system must not be allowed to fail has also been incorporated into the FEMA-GHS/OCD "All Hazard Response Plan" completed in 2010, (second such plan approved in the USA) .	11/25/2005
20	Preventive Maintenance Program	Submitted 06/04/2004. EPA reviewing, Prelim. Review is that PM Program is too generic, not sufficiently tailored to GWA, and concerned with program implementation. USEPA preparing comments. EPA has called for further revision to be submitted by 11/25/2005 which was prepared and submitted. GWA has implemented a computerized maintenance management system [CMMS] and a computerized work order system to improve documentation, reliability and performance of routine maintenance operations and help maintain suitable inventories of parts. The most complete implementation of the CMMS has been in Wastewater Section under the GWA Performance Management Contractor, Veolia Water Guam, LLC. The program being implemented throughout GWA will facilitate cost tracking and Asset Management Planning.	11/25/2005
21	Operation and Maintenance Manuals	Submitted 12/02/2003. EPA Comments sent 03/04/2004. GWA revision submitted 04/04/2004. GWA planning to contract out part of the project to meet full SO Compliance. EPA sent follow up letter 8/11/04. GWA needs to provide formal response with schedule by 9/10/04. Operations Staff prepared it. GWA sent update 08/18/2004:- Ugum manual completed. All manuals were prepared by the 06/05/2005 compliance date and are available in GWA Operations office, maintained by GWA engineering staff. Review of the prepared manuals by EPA, GEPA and GWA resulted in conclusion that the preparations were inadequate. A \$7,000 fine was levied. Supplemental revisions, beyond Paragraph 21 requirements, of these manuals have been required by Guam EPA. A Compliance Report confirming O&M manuals were completed was submitted on 03/15/2007.	06/05/2005

Paragraph No.	Title	Status	Critical Dates
22	GWA's Authority Barriers to Compliance with the Stipulated Order.	<p>GWA/CCU held workshops on Barriers from 03/02/2004 through 04/28/2005. GWA counsel prepared a draft of potential legislation language to eradicate barriers to GWA's ability to function as a Public Corporation. The specific areas of independent efficiency examined were:</p> <ul style="list-style-type: none"> ✓ Administration of financial accounts. ✓ Management of personnel. ✓ Efficient unobstructed procurement. <p>EPA received the original draft of barriers legislation an explanatory report corresponding to submitted draft legislation 7/23/04 and a subsequent interim update based on CCU review. EPA is reviewed and gave advisory comments. Draft was reviewed and revised by the CCU and the final version was completed 04/28/2005 in two parts, and approved for presentation. GWA presented the draft to the Guam Legislature for action in early May 2005. While no action was taken by the legislature on the GWA submittal the Legislative support for the needs of this paragraph have thus far led to Bills 254 and 255 which address GWA's ability to create and fund Certified Technical Positions under the CCU. The legislation requiring GWA procurements (in excess of \$500K) to be approved by the Guam AG while in direct contravention of this paragraph was resolved by having the GWA counsel delegated to see that specific steps were taken for such procurements.</p>	May 2005
23	Standard Operating Procedures	<p>Initially submitted 11/30/2003. EPA called for revised SOP's in specific areas by 01/27/2006. These were prepared in "process map" format and submitted on time.</p> <p>These are all currently in use and undergo regular formal updates.</p>	01/27/2006
24	Vulnerability Assessment	<p>Completed and a copy was submitted to EPA HQ 12/29/2003.</p> <p>Certification of completion confirmation that it was received at EPA HQ was on 01/15/2004.</p>	01/15/2004
25	Trade Organizations	<p>Completed 08/19/2003.</p> <p>EPA approved as submitted. Renewals maintain the status of this paragraph.</p>	08/19/2003

Paragraph No.	Title	Status	Critical Dates
Section IV	Financial Administration at GWA		
26	Financial Standard Operating Procedures	Draft submitted by 06/29/2004, Resubmitted January 04, 2005. EPA is reviewing.	05/27/2005 01/04/2005
27	Annual Budget	FY-2004 Budget Approved by CCU 09/15/2003. FY-2005 Budget Approved by CCU 07/27/2004. FY-2006 Budget Approved by CCU 08/23/2005. FY-2007 Budget Approved by CCU 09/26/2006. FY-2008 Budget Approved by CCU 09/18/2007. FY-2009 Budget Approved by CCU 09/09/2008. FY-2010 Budget Approved by CCU 09/01/2009. FY-2011 Budget Approved by CCU 09/28/2010. FY-2012 Budget Approved by CCU 09/27/2011.	Annual
28	Interim Financial Plan	Submitted to EPA 10/16/2004. Notice to Rate Payers 10/29/2003. Preliminary submitted to PUC 12/11/2003. Full Rate Filing by GWA to PUC Submitted to PUC with 90 day notice to rate payers. 03/31/2004, PUC rate relief of 7.5% awarded, with additional surcharge for unfunded retirement legislated support for retiree medical coverage. Revised Interim Financial Plan was submitted to PUC for review in June 2004. PUC asked for additional testimony to be used in September 04 regulatory session and rate relief adjustment to be effective at start of FY 2005. The process continued for the 2007 Fiscal Year. A 14.24% rate relief hearing was held with and approved by the PUC.	12/11/2003
29	PUC Approval of Interim Financial Plan	This paragraph is now superseded by the PUC approved Five Year Plan and Final Financial Plan..	10/28/2004
30	Approval of Final Financial Plan	PUC to approve Final Financial Plan within 90 days after it is presented as approved in the Paragraph 10 Water Resources Master Plan (q. v. above). The financial plan under the WRMP has been presented to the Guam PUC per PUC Docket No. 08-08 the Final Financial Plans was approved by the PUC on 07/27/2009.	08/13/2006

Paragraph No.	Title	Status	Critical Dates
31	Five Year Plan	<p>First 5 year plan was submitted 06/05/2005. Preparation of the next edition plan is taking advantage of Paragraph 10 Water Resources Master Plan data that is virtually complete at this time and of experience and data used in preparing and submitting interim plans to the PUC. Work on a WRMP based plan is proceeding since the adoption of it. Financial Plan data is in the final version available January 31, 2007. The Five year Plan was approved by the PUC on July 27, 2009. the System Development charge was approved by the CCU on 10/13/2009, and was approved by the PUC on January 29, 2010. This is now implemented.</p> <p>The final WRMP has been posted on http://www.guamwaterworks.org</p>	07/27/2004
32	Financial Reserves	First Submitted 12/02/2003	
32(1)	Debt Service Reserves	This account has been funded upon the 2005 issuance of \$101 million in bonds and in accordance with requirements of bond issuance is now at \$7.7 million.	Continuous
32(2)	Emergency Operations, Maintenance Renovation and Replacement Reserves	<p>Submitted 09/05/2003.</p> <p>Fund currently stands at \$12.4 million cash on hand as of the date of this report.</p>	Continuous
33	Late Payments	<p>Submitted 09/02/2003.</p> <p>Approved as amended 11/14/2003.</p> <p>GWA considering additional revision in coordination with considerations under Paragraph 22, Barriers to Operating GWA as an efficient independent utility (q. v.).</p>	11/14/2003
34	Sewer Hook-up Revolving Fund	<p>This fund has had CCU approval and is now available for the public use within the available funding.</p> <p>An MOU between GWA and Guam EPA on the operation of the US EPA funded program is in place. Announcements publicizing the inauguration have been made and instructions for using this service are posted on the GWA web site at: http://www.guamwaterworks.org/documents/SewerFactSheet05192010.pdf.</p>	02/08/2006

Paragraph No.	Title	Status	Critical Dates
Section V	Construction and Rehabilitation Projects at GWA		
35	Hagåtña Ocean Outfall	<p>Paragraph 35 & 36 Outfall projects were contracted together (See below). Outfall designs were done by June 5, 2005. Hagåtña outfall construction was to be completed by June 5 2006, but bidding was delayed until bond funding was available. Only one bid was received at an amount far exceeding budget funding, award was made and the construction is complete. The Hagåtña outfall experienced a number of further unforeseen delays.</p> <p>The Outfall was put into service on December 15, 2008. It is 2180 feet out, 42 inches in diameter, HDPE and the outlet is 270 ft deep</p> <p>Construction is completed on both the Hagåtña and the Northern District Sewer Treatment Plant (NDSTP) outfalls.</p> <p>Hagåtña Outfall Current Status:</p> <p>The outfall pipe was successfully installed and put into full operation on December 15, 2008. Since 2008 on five occasions; rare extremely high tides coincident with extremely heavy rainfall; the gravity discharge of finished water has had very small amounts of treated wastewater (about 1% of the plant flow) to overflow to the old outfall for short periods.</p>	<p>02/25/2005</p> <p>06/05/2005</p> <p>06/05/2006</p> <p>03/30/2008</p>
35 & 36 Combined Contract	Combined Contract, Hagåtña Ocean Outfall, And Northern District Outfall	<p>Submitted 09/12/2003 as BOT Project. EPA informal comments received 09/24/2003. GWA revisions submitted 10/14/2004. EPA conditional approval 12/04/2003.</p> <p>Recd. revised BOT schedule 2/3/04. Bills Engineering worked with GWA on drafting SOW/RFP. BOT Schedule called for developing SOW/RFP by August 2004. 9/24/04: Recd. copy of outfall reports/videos from GMP and reviewed. EPA sent a letter re: additional info/data needed to support outfall extensions and NPDES permit renewal.</p> <p>GWA did not pursue BOT due to concerns with privatization initiative and resultant shortages of certifiable funds until bonds were issued. This meant GWA needed to submit a revised response to paragraphs 35, 36, indicating reversion to the original plan of outfall extension and renovation of Wastewater Reclamation Facilities.</p> <p>Bills Engineering evaluated existing outfall designs and specifications for completeness. Copies of all existing sets of specifications had finally been located for this review.</p>	<p>02/25/2005</p> <p>06/05/2005</p> <p>06/05/2006</p> <p>06/05/2007</p> <p>03/30/2008</p> <p>01/01/2009</p>

Paragraph No.	Title	Status	Critical Dates
<p>35 & 36 Combined Contract (Continued)</p>	<p>Combined Contract, Hagåtña Ocean Outfall, And Northern District Outfall (Continued)</p>	<p>*Basis of Design (Aug. 2001), Contract & Bid Documents (Jan. 2002) Contract Documents (Sept. 2001), & Preliminary Review: repeat quarterly monitoring work three (3) more times and some additional ocean current info is needed. GWA took advantage of having an in house/on site Chief Engineer to complete the design and oversee the remaining needed benthic studies. Benthic study proposal by University of Hawaii Water Resources Research Center was received, approved and the second and third sets of samples have been collected and submitted to UHWRRRC for analysis. A preliminary report on the second sample set was received for preliminary review. Following the third sample, a final Benthic Faunal report was received from UHWRRRC on August 1, 2007 and was submitted to USEPA in August 2, 2007. Outfall Designs Completed June 5, 2005. Construction originally to be completed by June 5 2006. GWA executed \$35 million in contracts to upgrade the Northern and Hagåtña Wastewater treatment plants as required under the Stipulated Order. These projects were reviewed and approved by both USEPA and GEPA prior to implementation. Both the new Northern District Outfall and the new Hagåtña Outfall are now in use.</p>	<p>02/25/2005 06/05/2005 06/05/2006 06/05/2007 03/30/2008 01/01/2009</p>
<p>36</p>	<p>Northern District Ocean Outfall</p>	<p>Paragraph 35 & 36 Outfall projects e contracted together (See above). Outfall designs were done by June 5, 2005. Agaña outfall construction was to be completed by June 5 2006, but bidding was delayed until bond funding was available. Only one bid was received at an amount exceeding budget funding. This outfall is 1958 feet out, is 34 inches in diameter, HDPE and its outlet is 140 ft deep. Northern District Outfall Status: The Northern District outfall was put into service on January 23, 2009 – no problems. The diffuser installation is on hold until flows incorporating the military buildup growth increment are available for use in correctly designing it.</p>	<p>02/25/2005 06/05/2005 06/05/2006 06/05/2007 01/01/2009</p>

Paragraph No.	Title	Status	Critical Dates
37	Assessment of Chaot Wastewater Pump Station and Sewer Collection and Conveyance System	<p>Under Paragraph 48 notice of delay, Paragraph 74 amendment to SO requested and with Warning letter from EPA of 12/18/2003: Engineering Assessment (EA) sent to EPA by 01/16/2004.</p> <p>Final EA delayed due to waiting for Paragraph 4 Chief Engineer contract to be completed. Draft EA to Chief Engineer 01/15/2004. Delays incurred fines of \$9,000. See Paragraphs 53 and 55 below.</p> <p>EPA Received the SOW from GWA 7/14/2004.</p> <p>EPA reviewed it and had no additional comments.</p> <p>GWA issued RFP 7/26/04. Bid was opened 08/13/2004 and was awarded. ACOE 404 permit needed for portion of project was obtained. Funds were certified and the project is in progress. Construction was to be completed by August 1, 2005. Work has been completed and the new pump station and the new pipelines are in use.</p>	<p>08/01/2005</p> <p>05/31/2006</p> <p>08/01/2006</p>
38	Water Transmission line Construction Plan		
38 (A)	Water Transmission line Construction Plan	Submitted 11/27/2003. A comprehensive evaluation of Water Transmission Line (WTL) needs and a WTL construction plan was prepared based on information collected and modeling done in the WRMP (See Paragraph 10 above) to determine what is needed to provide reliable water delivery throughout Guam. Improvements in the model continue to be made to enhance this plan.	<p>Pending: WRMP completion</p> <p>01/31/2007</p>
38 (B)	Sinajana Water Transmission Line Project	<p>Phase I Groundbreaking for Phase I of the Sinajana WTL was held July 31, 2007 and construction is completed except for the paving of Route 4. Phase 2(A) of the project (design and construction of transmission line from Rt. 4 to the Ordot Reservoir) is complete.</p> <p>Phase 2(b) involves design and installation of SCADA monitoring and disinfection equipment and facility. Construction of the structures for this part of the project is now nearing completion. Changes in the disinfection equipment have been negotiated. A change order for disinfecting all the installed pipelines has been executed.</p> <p>Because two of the tanks needed for this project have been deemed unserviceable (See SO 38 (C) below.), the additional project needed to manage water delivery from the Ordot Tank in order to maintain pressure to customers that were previously supplied directly from wells requires a</p>	<p>06/30/2008</p> <p>Estimated completion</p> <p>12/31/2013</p>

Paragraph No.	Title	Status	Critical Dates
38 (B)	Sinajana Water Transmission Line Project	<p>third phase for this project. Scope for the design of this Phase III work was prepared by GWA engineering planners.</p> <p>Completed: Sinajana Phase I. Sinajana Phase II a; Phase II b is substantially complete.</p> <p>In progress: Phase III Design contract is in fee negotiation phase.</p> <p>Phase III Construction is expected to take about an additional 2 and a half years because of the need to replace the two (Agaña Heights and Chaot) tanks.</p> <p>System is in use in modified form until the Sinajana and Agaña Heights tanks can be replaced.</p>	<p>06/30/2008</p> <p>Estimated completion 12/31/2013</p>
38 (C)	Water Reservoirs Condition Assessment	<p>GWA prepared and submitted (on 10/30/2006) a scope of work and work plan with a schedule for the complete condition assessment of its steel tank water reservoirs. GWA issued an IFB for this assessment and for the supervision of any refurbishment work found to be needed on March 16, 2008 to be opened on May 15, 2008.</p> <p>The initial preliminary (external) inspection was completed and the initial report was received 10/17/2008. A copy was sent to GEPA and Region 9 USEPA. Phase 2, detailed inspection (and work that will include the supervision and/or execution of “repair as we go” work found to be needed) is divided into parts A (funded by the 2005 bonds) and B (funded by the 2010 Revenue Bonds).</p> <p>The first 10 tanks (<u>Piti, Agaña Heights, Chaot, Mangilao No. 2, Yigo No. 1, Astumbo/Ysengsong No. 1, Malojloj Elevated, Nissan, Agat #2 (Upper), and Yigo Elevated</u> tanks.) of this project have now had detailed inspection. The API and the Structural engineer’s reports have been received for Some tanks. Of these all except Agat #2 will need major repairs or will need to be replaced. Agat #2 tank will only need minor maintenance and repair work under the existing contract. Malojloj Elevated and Yigo Elevated tanks have been retired form service. The next tanks are being planned and some repair work on the inspected tanks will need to be completed before they can be returned to service so that others can be taken off line for inspection.</p>	<p>10/30/2006</p> <p>Estimated completion 12/31/2013</p>

Paragraph No.	Title	Status	Critical Dates
38 (C) (Continued)	Water Reservoirs Condition Assessment (Continued)	<p>(For more information please see the table on Page 38 below.)</p> <p>The inspection phase of this project is may take until the end of CY 2012 or 2013 because of the need to keep water service available to all GWA customers while tanks are off line for inspection. As of yet all tanks that have been taken off line have had to have repair work done before they could be returned to service. Operations without the tanks are problematic and expensive and additional planning time is needed. The critical planning issue for inspections is the ability of GWA to be able to adequately supply water to GWA service areas while tanks are taken out of service, and what to do if additional tanks are no longer useable.</p>	<p>10/30/2006</p> <p>Estimated completion 12/31/2013</p>
39	Northern District STP Renovation	<p>Northern District Sewer Treatment Plant (STP) initial refurbishment project is complete. . GWA completed preliminary evaluations of the Treatment Facility to see what is needed to comply with NPDES permits. EPA, , levied a fine of \$21,600, calling the report non-responsive. The study showed that substantial additional refurbishment is needed at the Northern District Sewer Treatment Plant for it to be able to comply with the permit. A plan to upgrade the facility to include CEPT has been engineered and budgeted by GWA Engineering with the assistance of GWA's PMC.</p> <p>Anticipated support by the Department of Defense (because of increased need from the Military Buildup) has been delayed to the point that GWA is now planning to fund this project from its own Revenue Bonds. The project includes achieving compliance with the current NPDES permit and then interim stages to allow transition to higher capacity.</p> <p>The plant will eventually be converted to secondary processing required by EPA based on the anticipated increased flows. Performance of NDWWTP will steadily to improve by the extensive refurbishment of the facility identified in the interim plan to achieve NPDES compliance on a reliable basis.</p>	<p>06/05/2006 01/31/2010</p> <p>Estimated completion initial interim sage 09/30/2012</p>

Paragraph No.	Title	Status	Critical Dates
40	Agaña Main Sewage Pump Station and Diverter Box	<p>Submitted 07/30/2003. EPA extends schedule to 04/30/2004.</p> <p>Schedule:</p> <p>Design 01/26/2004, Complete.</p> <p>Materials 04/20/2004, Complete.</p> <p>Tap into line 04/23/2004, Complete.</p> <p>Install Bypass line 04/30/2004, Complete.</p> <p>EPA amended SO paragraph 40 to address overflows at pump station. Diverter box repair was made a part of the Hagåtña STP renovation. Major renovation of the Hagåtña Main Lift Station were needed and completed as on 09/05/2008.</p>	06/01/2007
41	Ugum Surface Water Treatment Facility	<p>Submitted 09/08/2003 EPA comments/disapproval 10/23/2003</p> <p>Revised submittal 11/27/2003 with draft RFP</p> <p>Comments and revision discussion 12/03/2003.</p> <p>EPA received revised SOW (dated 6/1/04 Draft 4.1) on 7/9/04. EPA reviewed and made recommendation for further revision. Revised SOW included refurbishment of raw water intake structure: Section 404 and NEPA issues. NEPA Category Exclusion was specific to the WTP. Intake Refurbishment will be separated from the grant supported project. GWA required multi-step sealed bid pilot testing approach for Ugum IFB. QA/QC plans will require EPA and GEPA approval prior to testing. Final SOW and IFB submitted on 02/25/2005.</p> <p>Project was bid and draft QA Plans were received and opened on 04/04/2005. QA Plans were reviewed by GWA, EPA & GEPA and were approved for prospective bidders specifying procedures and performance monitoring requirements for pilot testing to evaluate the efficacy of the offered technology. The final report on pilot trial performance was received by GWA on March 3, 2006, and reviewed by GWA engineering and management staff. The report was accepted as proof of qualification and invitation to bidders to proceed to Phase II of the multistep bid process was issued on March 21, 2006. Phase II data was submitted to GWA and was presented to the CCU for approval. Because of the work done by the Ugum DRC staff and their ability to meet all LT2ESWTR requirements, based on the Belanger CPE specified by the SO Paragraph 41, GWA asked EPA to consider the requirements of SO Paragraph 41 completed as of 05/15/2006.</p>	<p>02/25/2005</p> <p>06/05/2006</p> <p>01/05/2007</p> <p>03/07/2007</p> <p>02/15/2010</p> <p>04/30/2010</p> <p>Estimated completion 05/31/2012</p>

Paragraph No.	Title	Status	Critical Dates
41 (Continued)	Ugum Surface Water Treatment Facility (Continued)	<p>All subsequent work set for the facility was well beyond the scope of the original SO. Bid for the added work was awarded, contracted and Groundbreaking Ceremonies were held 05/18/2007.</p> <p>The primary process conversion to membranes has been completed. The facility has been delivering its water from the membrane process into the distribution system since February 14, 2011.</p> <p>A number of start up issues for system reliability and operator confidence are being worked out with the contractor. The final work is now under way with CCU approval of the reallocation of bond funds for a change order.</p>	<p>02/25/2005 06/05/2006 01/05/2007 03/07/2007 02/15/2010 04/30/2010 Estimated completion 05/31/2012</p>
42	Hagåtña STP Renovation	<p>Hagåtña STP specifications obtained from USEPA (express mailed on 10/27/2004). Bills Engineering was able to meet with GMP to obtain all designs for review: Hagåtña interim corrections Scope of Work complete using GMP document <i>“Tumon Bay Infrastructure and Beautification Project, Task IV-B, Hagåtña Sewage Treatment Plant Refurbishment, GWA Project No: S85-002-LOC”</i> with GWA engineering addenda, and was put out for bid. Bids were received and awarded to Black construction. This project is now completed. A Groundbreaking Ceremony was held on March 26, 2006. At a “Ribbon Cutting” commissioning ceremony on March 29, 2007, the refurbished Wastewater Treatment Plant was put into full service. GWA completed evaluations of this Treatment Facilities to see what is needed to comply with NPDES permit. The report which was submitted to US EPA and Guam EPA describing what needed to be done to bring the system into NPDES compliance on 04/30/2007.</p> <p>The adjustments to the process desired at the Hagåtña plant were made and the facility is now sometimes in full NPDES compliance.</p> <p>The treatment plant restoration contract included the repair of the Hagåtña Main Lift Station (See Paragraph 40 above), which functions as the headworks of the treatment plant. The major renovation of the Hagåtña Main Lift Station was determined to be necessary as it serves as the headworks for the Hagåtña wastewater Treatment plant were completed and the lift station was put back on line on 09/05/2008.</p>	<p>02/25/2005 06/05/2005 06/05/2006 10/07/2006 06/05/2007 01/31/2010 Additional upgrades expected to be completed by 06/30/2013</p>

Paragraph No.	Title	Status	Critical Dates
42 (Continued)	Hagåtña STP Renovation (Continued)	<p>EPA, without response to the report GWA submitted, levied a fine of \$11,400, calling the report non responsive in <u>and failing to recognize that the treatment plant was, at that time, in compliance with is permit.</u> [EPA levied a total fine of \$40,000 for paragraph 39 and 42 delays of which this is a part.] GWA filed a formal protest Under Paragraphs 66 and 67 in US District Court on October 29 against the fine levied by USEPA and USDOJ. EPA levied a fine of \$7,000 for this delay for which they are at least in part responsible and GWA unsuccessfully filed a protest.</p> <p>USEPA was consulted on the best way to set up to do this but did not provide guidance in a timely manner, delaying the decision on the most appropriate procedure. Further, the equipment needed in order to do this was not available, which has resulted in further delays because working on the facility while it continues to operate is a much slower process. When the equipment that it was hoped could be used to allow the lift station to be taken out of service during the repairs to the station was not able handle the task, an alternate scope of work to repair the facility was developed. This alternative method of working on the lift station while it continues to operate took considerably more time than was originally anticipated in order to do it safely. The Lift Station has been on line since 09/05/2008. Formal evaluation report for Hagåtña WWTP meeting guidelines from EPA was submitted on schedule 01/31/2010. The steps in the report are being implemented as described in the Operational Performance Evaluation. As the facility still has difficulty in consistently meeting its NPDES permit requirements, additional interim improvements are being studied. Since 2008 on five occasions; rare extremely high tides coincident with extremely heavy rainfall; the gravity discharge of finished water has had very small amounts of treated wastewater (about 1% of the plant flow) to overflow to the old outfall for short periods. A project to install a discharge pump to address the is planned. Because of the delay in the Guam Military Buildup and the expected financial support from government of Japan and US DoD, GWA is planning to fund this work with Revenue Bonds.</p>	<p>02/25/2005</p> <p>06/05/2005</p> <p>06/05/2006</p> <p>10/07/2006</p> <p>06/05/2007</p> <p>01/31/2010</p> <p>Additional upgrades expected to be completed by 06/30/2013</p>

Paragraph No.	Title	Status	Critical Dates
43	Agat, Baza Gardens and Umatac-Merizo STP's Comprehensive Performance Evaluations	GWA schedule approved 09/29/2003. GWA Scope of work revised 10/31/2003. EPA approved SOW 12/24/2003 Request for Statement of Qualifications issued 12/24/2003 SOQ's Received 01/28/2004, contracted 04/13/2004 Requested GWA submitted revised CPE schedule, EPA received it 05/21/2004. GWA consultant started CPE and delivered first draft CPE's 07/062004. EPA reviewed and provided comments 07/19/2004 for GWA to address before EPA formally approved and finals were completed. GWA requested SO amendment to extend deadline by 3 months. Final CPE's were completed by Winzler and Kelly Consulting Engineers and submitted to USEPA on September 03, 2004. GWA, GEPA and USEPA have accepted them as complete. They have now been transferred to the WRMP consultants for incorporation into WRMP generated CIP projects.GWA has begun discussions with USEPA on potential solutions to Waste Water collection and treatment needs of Southern Guam (the areas of these three facilities). First estimates for the work are \$170 million. This work will be completed on whatever time frame results from negotiations between GWA and USEPA in the US Department of Justice as decreed by the US District Court.	09/03/2004
44	Santa Rita Spring Booster Pump Station Rehabilitation	Submitted 09/11/2003 Paragraph 75 request for extension for revision of Scope of Work, approved by EPA 12/29/2003. Revised SOW submitted 12/30/2003, EPA approved Revised Scope of Work 03/10/2004 and received GWA application package 04/30/2004. Grant amendment being processed by EPA grants management office. GWA received comments from other Government of Guam agencies. EPA sent description of the type of info needed. GWA preparing Water Transmission Line alignment information and map for NEPA. EPA received GWA A/E Agreement dated 04/29/2004. Approved as submitted. Final Design done March 25, 2005 . Groundbreaking was held August 18, 1996. Project Deadline was June 5, 2006 . Because of delay in design approval and archaeological approvals, completion was proposed to be extended to July 01, 2007 . This project has been completed on schedule and refurbished facility is now in operation. The impound rehabilitation has also been completed and now the spring water is also being used as a Groundwater Source.	03/25/2005 06/05/2006 07/01/2007

Paragraph No.	Title	Status	Critical Dates
45	Rehabilitation / Replacement of Drinking Water Wells	<p>Submitted 10/04/2003. EPA returned comments 10/14/2003 GWA submitted a revision 11/15/2003. EPA sent comments on 03/04/2004. GWA responded 06/02/2004 and EPA reviewed. Assessment was incorporated into master plan project. GWA prepared a letter regarding this and time schedule; proposal to include this as part of MP project in order to provide the quality of assessment needed and meet SO deadline. This was written into WRMP SOW, time line and contract. GWA working on USDA loan/grant and needs EPA concurrence for USDA funding per EPA/USDA MOU designating the area as a sole source aquifer. GWA is to provide response to GEPA comments. GEPA and GWA have discussed. Chris Lund (GEPA Chief Engineer) to follow up with further GEPA review.</p> <p>Final well rehabilitation/replacement plan was submitted on April 29, 2005.</p>	04/29/2005
Section VI		Training at GWA	
46 and 47 (Section IV)	Training at GWA	<p>As of October 14, 2011, GWA has promoted Nicole Ballesta as the GWA Training Coordinator. Nicole will coordinate all training activities at GWA, including (but not limited to) the items specified in paragraphs 46, Operator Training and 47 Other Training as written in the Stipulated Order as Amended, as well as training designated by the GWA Safety Committee, personalized Skill Optimization training utility wide and specialized training as offered by the GWA's PMC.</p> <p>GWA also has an Apprenticeship Program managed by Josepha "Seph" Evanelista (of GWA HR Office) for CTP operators. On October 7, 2011, the first 12 journeyman operators were graduated from this program.</p> <p>Training programs at GWA have been developing from the time that the CCU was established, and continue to evolve as GWA progresses, and needs are identified and fine tuned. Future projects include engineering scholarship program and In-Service Training.</p>	10/28/2005

Paragraph No.	Title	Status	Critical Dates
46	Operator Training	<p>First EPA report Submitted 12/02/2003. Training programs have been scheduled through G. C. C. and published to GWA staff by GWA HR department. Classes were held during school year.</p> <p>Technical Training targeted at helping GWA employees to gain new and better skills and higher certification levels is offered to GWA personnel on a voluntary basis. GED classes are also offered for GWA personnel in support of enhanced competence and internal mobility within GWA. The training is also open to the general public for persons interested in possible employment with GWA and who are willing to earn Certification for Technical Positions requiring qualification.</p> <p>A special 40 hour course jointly funded by US DOI and GWA on Potable Water Treatment and Distribution was given at GWA, August 22 through 30, 2005 Training in Ground Penetrating Radar operation and in GPS. New training program report was prepared and submitted on October 28, 2005. This has been followed by an expanded training program plan.</p> <p>The latest operator certification exam was held August 24, 2011</p>	10/28/2005
47	Other Training	<p>Due 06/05/2004, submitted 12/02/2003. Program has been initiated with special visiting trainers for CCU, and with courses through G. C. C. Various ongoing training programs have been attended by CCU and GWA Accounting Staff. EPA reviewing submitted schedules.</p> <p>New training program report was prepared and submitted on October 28, 2005. Implemented as indicated in training plan are training in Excel, Customer Service Training, Asset Management training and other applicable skills not directly related to operator training.</p> <p>15 members of GWA including all 5 commissioners attended the AWWA National Conference and Exposition in Washington DC, June 12-16, 2011. In progress are plans for an In Service Training Program which would support GWA personnel to achieve college degrees, and an Engineering Scholarship Program. These programs would require a definite return to GWA service agreement for all participants.</p> <p>Updated Basic Safety Orientation training including the GWA Safety Manual and SOP's is in progress and has now been given to about half of the staff.</p>	10/28/2005

Paragraph No.	Title	Status	Critical Dates
Section VII	Reporting Requirements and Notice Provisions		
48	Notice of Noncompliance or Delay	This paragraph has been exercised for non material delays, accepted by EPA and for notices of conditions that would lead to failure to meet compliance dates in the Stipulated Order as Amended.	Continuous
49	Compliance Progress Reports	Progress Report 01 issued 10/28/2003. Progress Report 02 issued 01/28/2004. Progress Report 03 issued 04/28/2004. Progress Report 04 issued 07/28/2004. Progress Report 05 issued 10/28/2004. Progress Report 06 issued 01/28/2005. Progress Report 07 issued 04/28/2005. Progress Report 08 issued 08/22/2005. Progress Report 09 issued 04/28/2006. Progress Report 10 issued 07/28/2006. Progress Report 11 issued 01/28/2007 Progress Report 12 issued 05/11/2007 Progress Report 13 issued 08/03/2007 Progress Report 14 issued 11/14/2007 Progress Report 15 issued 01/28/2008 Progress Report 16 issued 05/06/2008 Progress Report 17 issued 08/29/2008 Progress Report 18 issued 10/30/2008 Progress Report 19 issued 01/30/2009 Progress Report 20 issued 04/30/2009 Progress Report 21 issued 07/28/2009 Progress Report 22 issued 10/28/2009 Progress Report 23 issued 01/28/2010 Progress Report 24 issued 04/28/2010 Progress Report 25 issued 07/28/2010 Progress Report 26 issued 10/27/2010 Progress Report 27 issued 01/28/2011 Progress Report 28 issued 04/27/2011 Progress Report 28 issued 07/27/2011 Progress Report 29 issued 10/27/2011	10/28/2008

Paragraph No.	Title	Status	Critical Dates
50	Contact Addresses	See Stipulated Order Pages 33 - 34. Also See the heading at the top of this page, or consult GWA's web-site at < http://www.guamwaterworks.org/ >	Continuous
51	Notices and Submissions	Formal Format, Paragraph 51, see Stipulated order Page 34, (E. g. The certification statement at the beginning pf this report [Page 1 of 50]).	Continuous
Section VIII	EPA Access		
52	Authorized EPA Access	In full compliance.	Continuous
Section IX	Stipulated Penalties		
53	Stipulated Penalties	<p>Penalties for delay of Paragraph 37 Engineering Assessment have been levied 01/16/2004. Fine of \$6,000.</p> <p>Penalties for delay of Paragraph 11 Interim Disinfection Program levied 03/08/2004, \$11,000.</p> <p>A penalty was levied 05/05/2005 for Drinking Water Wells (Paragraph 45). for \$4,750.</p> <p>A penalty of \$13,000 was levied for delay of completion of the hydraulic modeling under the Water Resources Master Plan (Paragraph 10).</p> <p>A \$1,000 Penalty was levied 08/04/2005 under Paragraphs 11 & 12 upon finding a distribution system sample with a disinfectant residual below 0.2 mg/L.</p> <p>Also a \$3,000 penalty was levied for delay of completion of the Paragraph 37 Chaot wastewater rehabilitation project.</p> <p>On December 6, 2005, a \$20,000 penalty was levied for delay in completing the Draft of the Water Resources Master Plan (Paragraph 10) because GWA had chosen an expanded SOW; for delay in implementing approved Parts Inventory Stocking program (\$5,000) (Paragraph 15) and for inadequate Operation an Maintenance Manuals (7,000) (Paragraph 21).</p> <p>On March 16, 2006, EPA levied a fine of \$35,000 for delay in completing the Final Water Resources Master Plan (Paragraph 10).</p>	<p>01/16/2004</p> <p>03/08/2004</p> <p>05/05/2005</p> <p>08/04/2005</p> <p>12/06/2005</p> <p>03/16/2006</p> <p>07/11/2006</p> <p>09/04/2007</p> <p>01/14/2008</p> <p>07/23/2008</p>

Paragraph No.	Title	Status	Critical Dates
53 (Continued)	Stipulated Penalties (Continued)	<p>On July 11, 2006, EPA levied a fine of \$55,000 for delay in completing the Final Water Resources Master Plan (Paragraph 10) GWA had chosen an expanded SOW which required additional time. The Final WRMP was adopted and is available as of January 31, 2007.</p> <p style="text-align: center;">The final WRMP is posted on the GWA Web-Site < http://www.guamwaterworks.org ></p> <p>On September 04, 2007, EPA levied a fine of \$40,000 for alleged failure to complete the work called for under the amended Paragraphs 39 (Evaluation of the Northern District Wastewater Treatment Plant) and 42 (Evaluation of the Hagåtña Wastewater Treatment Plant and rebuilding the Hagåtña main lift station). GWA believed it had satisfactorily completed the evaluations and has embarked on the best available way to Protect Public Health while completing the repairs to the lift station.</p> <p>On January 14, 2008, EPA levied fines for delay of the Paragraph 14, Water Meter Improvement Program (\$30,000)</p> <p>At the same time, EPA levied a \$9,000 fine for the delay of the Paragraph 41 Ugum Surface Water Treatment Plant.</p> <p>On July 27, 2008, EPA fined GWA \$9,000 for delays in completing the SO Paragraph 38(B) Sinajana Water Transmission line project.</p> <p>On August 17, 2009 EPA fined GWA \$19,000 for delay of the SO Paragraph 38(C) Reservoir Condition Assessment (and minor repair) which is held up by complexity and lack of available funds for execution, followed by a Fine of \$57,000 on January 25, 2010.</p> <p>On March 29, 2010, EPA levied a fine of \$65,000 for delays in completing the work in Paragraph 12(C), Groundwater Chlorination System, (\$15,250); Paragraph 14, Water Meters (\$38,250) and Paragraph 38(B) Sinajana Water Transmission Line (\$11,500).</p>	<p>01/16/2004</p> <p>03/08/2004</p> <p>05/05/2005</p> <p>08/04/2005</p> <p>12/06/2005</p> <p>03/16/2006</p> <p>07/11/2006</p> <p>09/04/2007</p> <p>01/14/2008</p> <p>07/23/2008</p> <p>08/17/2009</p> <p>01/25/2010</p> <p>03/29/2010</p>

Paragraph No.	Title	Status	Critical Dates																																																												
53 (Continued)	Stipulated Penalties (Continued)	<p>A listing of all fines by SO paragraph is as follows:</p> <table border="1"> <thead> <tr> <th>Name</th> <th>Paragraph No.</th> <th>Amount</th> <th>Cumulative</th> </tr> </thead> <tbody> <tr> <td>WRMP</td> <td>10</td> <td>\$123,000</td> <td>01/16/2004</td> </tr> <tr> <td>Disinfection</td> <td>11 & 12</td> <td>\$27,250</td> <td>03/08/2004</td> </tr> <tr> <td>Meters</td> <td>14</td> <td>\$68,250</td> <td>05/05/2005</td> </tr> <tr> <td>Inventory</td> <td>15</td> <td>\$5,000</td> <td>08/04/2005</td> </tr> <tr> <td>O&M</td> <td></td> <td></td> <td>12/06/2005</td> </tr> <tr> <td>Manuals</td> <td>21</td> <td>\$7,000</td> <td>03/16/2006</td> </tr> <tr> <td>Chaot WW</td> <td>37</td> <td>\$9,000</td> <td>07/11/2006</td> </tr> <tr> <td>Reservoirs</td> <td>38(C)</td> <td>\$76,000</td> <td>09/04/2007</td> </tr> <tr> <td>WW Eval.</td> <td>39 & 42</td> <td>\$33,000</td> <td>01/14/2008</td> </tr> <tr> <td>Ugum</td> <td>41</td> <td>\$9,000</td> <td>07/23/2008</td> </tr> <tr> <td>Lift Sta. Repair</td> <td>42</td> <td>\$7,000</td> <td>08/17/2009</td> </tr> <tr> <td>Well Rehab</td> <td>45</td> <td>\$4,750</td> <td>01/25/2010</td> </tr> <tr> <td>WTL-Sinajana</td> <td>38(B)</td> <td>\$20,500</td> <td>03/29/2010</td> </tr> <tr> <td></td> <td>Total</td> <td>\$389,750</td> <td></td> </tr> </tbody> </table> <p>See also the executive summary at the end of the report.</p>	Name	Paragraph No.	Amount	Cumulative	WRMP	10	\$123,000	01/16/2004	Disinfection	11 & 12	\$27,250	03/08/2004	Meters	14	\$68,250	05/05/2005	Inventory	15	\$5,000	08/04/2005	O&M			12/06/2005	Manuals	21	\$7,000	03/16/2006	Chaot WW	37	\$9,000	07/11/2006	Reservoirs	38(C)	\$76,000	09/04/2007	WW Eval.	39 & 42	\$33,000	01/14/2008	Ugum	41	\$9,000	07/23/2008	Lift Sta. Repair	42	\$7,000	08/17/2009	Well Rehab	45	\$4,750	01/25/2010	WTL-Sinajana	38(B)	\$20,500	03/29/2010		Total	\$389,750		<p>01/16/2004</p> <p>03/08/2004</p> <p>05/05/2005</p> <p>08/04/2005</p> <p>12/06/2005</p> <p>03/16/2006</p> <p>07/11/2006</p> <p>09/04/2007</p> <p>01/14/2008</p> <p>07/23/2008</p> <p>08/17/2009</p> <p>01/25/2010</p> <p>03/29/2010</p>
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54	Accrual of Stipulated Penalties	None Accrued.	N/A																																																												
55	Payment of Accrued Penalties	Payments of all Paragraph 53 Penalties have all been made on time (within 30 days of date levied).	See 53 Above																																																												
56	Review of Stipulated Penalties	EPA levied a total fine of \$40,000 for paragraph 39 and 42 delays. GWA filed a formal protest Under Paragraphs 66 and 67 in US District Court on October 29 against the fine levied by USEPA and USDOJ.	N/A																																																												
57	Interest on Stipulated Penalties	None Incurred.	N/A																																																												
58	Other Relief Beyond Stipulated Penalties	None Incurred.	N/A																																																												
Section X	Force Majeure																																																														
59	Force Majeure Delays	None Incurred.	N/A																																																												

Paragraph No.	Title	Status	Critical Dates
60	Force Majeure Defined	See Stipulated Order Page 36.	Continuous
61	EPA Must Approve Force Majeure Delays	None Incurred.	N/A
62	Written Notification of Force Majeure Delays to EPA	None Incurred.	N/A
63	Forfeiture of Force Majeure Delay Approval if no Notice Given to EPA	None Incurred.	N/A
64	EPA Written Notice of Justified Force Majeure Delay	None Incurred.	N/A
65	GWA Must Prove Force Majeure	None Incurred.	N/A
Section XI	Dispute Resolution		
66	Dispute Resolution Defined	Without responding to GWA submittals, EPA levied a total fine of \$40,000 for paragraph 39 and 42 delays (Q. V.). GWA filed a formal protest Under Paragraphs 66 and 67 in US District Court. Recommendation of the Magistrate was in GWA's favor. Overruled.	N/A
67	Written Notice of Dispute to be made to EPA and DOJ	Without responding to GWA submittals, EPA levied a total fine of \$40,000 for paragraph 39 and 42 delays (Q. V.). GWA filed a formal protest Under Paragraphs 66 and 67 in US District Court. Recommendation of the Magistrate was in GWA's favor. Overruled.	N/A
68	Informal Negotiations to Precede Formal Court Filings	On October 19, 2007, an informal conference call was held between GWA and USEPA to discuss how to proceed with work at GWA including, EPA Grant Funded Projects, Stipulated Order Projects, and other needed projects identified by GWA (including those identified in the WRMP 2007) in a collaborative manner rather than by forced enforcement, (e. g. fines).	N/A
Section XII	Applicability		
69	The Provisions of the SO are Applicable to GWA	Complete Concurrence.	Continuous

Paragraph No.	Title	Status	Critical Dates
Section XIII			
General			
70	SO is Enforceable	Complete Concurrence.	Continuous
71	SO Compliance Does Not Exempt GWA From CWA or SDWA Compliance	Complete Concurrence.	Continuous
72	SO Compliance Does Not Exempt GWA From NPDES Compliance	Complete Concurrence.	Continuous
73	SO Does not Affect Rights of SO Parties or Other Entities	Complete Concurrence.	Continuous
Section XIV			
Modification			
74	Modification Must be in Writing by EPA.	<p>Amendments have been approved by the court and signed by the judge, including Paragraph 44 (Santa Rita Spring) revised Scope of Work and Schedule.</p> <p>The STIPULATED ORDER FOR PRELIMINARY RELIEF; CIVIL CASE No. 02-00035 case has been ruled "in place" by the presiding judge and the case has been statistically ordered closed as of September 20, 2004.</p> <p>The STIPULATED ORDER FOR PRELIMINARY RELIEF; CIVIL CASE No. 02-00035 was amended and filed on October 19, 2006</p>	09/20/2004

LEGEND FOR THE ABOVE TABLE:

- Critical Dates Met [GREEN]
- Milestones or Dates Amended [BLUE]
- Critical Information [RED]
- New information [Yellow Highlight]
- Emphasized information. [Blue text]

Executive Summary:

GWA Amended Stipulated Order Summary Compliance Dates – Unfinished Task List

SO 12 (C): Upgrade of Groundwater Chlorination System. – contracted Phase I and Phase II are completed. Fully funded. A total of \$1.11 million total to complete this project. Phase III was awarded to Asanuma. Building permits were picked up by the contractor the first week of October. Mobilization is under way. Phase IV to complete Ground Water Rule compliance is pending final contract negotiation.	GWA Estimate 12/31/2013
SO 14: Water Meter Improvement Program. GWA plans to have the full replacement of all meters completed in 2 years. In the meantime, GWA continues to manage existing meters for accuracy and reliability. Meter calibration test bench has been ordered.	GWA Estimate 05/31/2014
38 (B): Sinajana Water Transmission Line Project. Phase I and Phase II a are complete. Phase II b substantially completed and the final punch list items are being worked through for close out of Phase II b. Phase III Design, (now in fee negotiation phase) is expected to be done by 11/30/2011, Phase III Construction is expected to take until 12/31/2013 (includes replacing Chaot and Agaña Heights tanks.)	GWA Estimate 12/31/2013
38 (C): Water Reservoirs Condition Assessment. Full inspection and assessment of the first ten tanks is completed. All but one need extensive work or replacement. The planning for the next tanks is in progress. See summary table on Page 39 below.	GWA Estimate 12/31/2013
39 Northern District WWTP Renovation and Operational Performance Evaluation. Initial refurbishment of the NDWWTP has indicated that additional capital improvements are necessary. The improvements that were planned with DoD funding are now being planned using GWA Bonds.	Pending DoD data GWA Bond Reallocations.
SO 41: Complete Ugum Construction Work. Final construction NTP was sent on 09/08/2011. Pre-work planning is in progress and long lead items are being ordered.	GWA Estimate 05/31/2012

LEGEND : Repeating items, New information Items in the unfinished task list being negotiated with EPA.

Detail for SO 38(C) Water Reservoir Condition Assessment.

Barrigada No. 2 (2 million gallon) Tank Design NTP was issued June 24, 2011

Professional Service Contract, Duenas, Camacho & Associates (DCA) Phase I: Percentage Complete: 36%

Minor Repairs Contract Contractor: Core Tech International.

Tanks now fully are in following table with summary of inspections results.

Status of inspected tanks as of 10/28/2011.

Tank	Inspection Date	Engineering Report	Required Repairs
Agaña Heights	Jun-2010	Final	Replace Tank (Now off line)
Chaot	Jun-2010	Final	Replace Tank (Now off line)
Piti	Jun-2010	Final	Replace/Abandon Tank (Now off line)
Yigo #1	Nov-2010	Final	Tank Bottom Replacement
			Repaint interior/exterior
			Misc. minor repairs (Repairs to follow after Astumbo #1)
Astumbo #1	Nov-2010	Final	Tank Bottom Replacement
			Replace internal support columns
			Repaint interior/exterior
			Misc. minor repairs (Repairs nearing completion)
Mangilao #2	Nov-2010	Final	Tank Bottom Replacement
			Repaint interior/exterior
			Misc. minor repairs (Repairs to follow after Yigo #1)
Agat #2	Apr-2011	Draft Final	Misc. minor repairs
Nissan	Apr-2011	Draft Final	Tank Bottom Replacement
			Repaint interior
			Misc. minor repairs
Yigo Elevate	Apr-2011	Draft Final	Replace Tank (Now off line)
Malojloj Elevated	Apr-2011	Draft Final	Replace Tank (Now off line)

Legend:
approval.

RED = (Major Project) requires system hydraulic assessment; engineering design, contracting and specific funding

ORANGE = (Major Project) requires engineering design, contracting and specific funding approval.

GREEN = (Minor Project) Covered under current Minor Repairs Contract.

GUAM WATERWORKS AUTHORITY

Paul J. Kemp, M.S.
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 Guam Waterworks Authority
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File Opened: 12/14/2005 07:05 AM
 This Print: 05/20/2010 01:46 PM
 File Name : TallyOf-SO-Penalties.123
 Author : Paul J. Kemp, M. S.
 Location : ES&C

Ph: 671 647 2605 Fax: 671 646 2335

Penalty Date	SO Paragraph	Amount
01/22/2004	37 Chaot	\$6,000
03/08/2004	11-12 Disinfection Program	\$11,000
05/18/2005	10 Hydraulic Model - WRMP 13K and 45 Well Rehab 4.75K	\$17,750
08/04/2005	11-12 Disinfection Pgm 1K and 37 Chaot 3K	\$4,000
12/06/2005	10 WRMP 20K - 15 Parts Inventory 5K - 21 O&M Manuals 7K	\$32,000
03/16/2006	10 WRMP Completion Date - Missed	\$35,000
07/11/2006	10 WRMP Completion Date - Missed	\$55,000
09/04/2007	39 NDSTP 20K 42 Hagatna STP & Lift Station 20K	\$40,000
01/14/2008	14 Water Meter Improvement Program	\$30,000
01/14/2008	41 Ugum Sruface Water Treatment Plant	\$9,000
07/23/2008	38(B) Sinahana Water Transmission Line	\$9,000
08/17/2009	38(C) Water Reservoir Condition Assessment	\$19,000
01/25/2010	38(C) Water Reservoir Condition Assessment	\$57,000
03/29/2010	12(C), 14, 38(B) together	\$65,000
TOTAL		\$389,750

Allocations			Allocation of 03.29/2010 fine:		
Name	Paragraph No.	Cumulative Amount			
WRMP	10	\$123,000			
Disinfection	11 & 12	\$27,250			
Meters	14	\$68,250	12(C)	23.5%	\$15,250
Inventory	15	\$5,000	14	59.0%	\$38,250
O&M Manuals	21	\$7,000	38(B)	17.6%	\$11,500
Chaot WW	37	\$9,000			
Reservoirs	38(C)	\$76,000			
WW Eval.	39 & 42	\$33,000			
Ugum	41	\$9,000			
Lift Sta. Repair	42	\$7,000			
Well Rehab	45	\$4,750			
WTL-Sinajana	38(B)	\$20,500			
Total		\$389,750			